

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**JAMES KEVIN MOREE II and
JENNIFER MOREE**

PLAINTIFFS

VERSUS

CAUSE NO. No. 3:06CV133-GHD-EMB

YAMAHA MOTOR COMPANY, LTD, ET AL.

DEFENDANTS

ORDER

BEFORE THE COURT is Plaintiffs' Motion to Enforce Stay [doc. 36]. By this motion, plaintiffs point out that a defendant filed a motion to dismiss in contravention of this Court's Order dated November 17, 2006, staying proceedings herein pending resolution of plaintiffs' motion to remand. Having duly considered the foregoing and the record, the Court finds that on December 1, 2006, Defendant Lake Hill Motors, Inc., filed its Motion to Dismiss or, in the Alternative, for Summary Judgment [doc. 25-1] in response to the Complaint. As such, consideration of this motion shall be stayed until such time as the Court has determined whether it has jurisdiction over this case. Should the motion to remand be denied, plaintiffs shall file their response to the motion to dismiss within ten (10) days of the Court's ruling.

SO ORDERED this 22nd day of December, 2006.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE